

ENTERED

October 17, 2024

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISIONJAIME ELIZONDO,
Petitioner,

VS.

BOBBY LUMPKIN, Director, Texas
Department of Criminal Justice Correctional
Institutions Division,
Respondent.§
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CIVIL ACTION NO. 7:24-CV-134


**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION
AND GRANTING DISMISSAL**

The Court has reviewed the magistrate judge's Report and Recommendation regarding Petitioner's Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254. After having reviewed the said Report and Recommendation, and no objections having been filed by either party, the Court is of the opinion that the conclusions in said Report and Recommendation should be adopted by this Court.

It is, therefore, **ORDERED, ADJUDGED** and **DECREED** that the conclusions in United States Magistrate Judge Juan F. Alanis' Report and Recommendation entered as Docket Entry No. 15 are hereby adopted by this Court.

FURTHER, the Court, having adopted the magistrate judge's conclusions, is of the opinion that Respondent's request to dismiss should be **GRANTED**, that a certificate of appealability should be **DENIED**, and that Petitioner's Writ of Habeas Corpus under 28 U.S.C. § 2254 should be **DISMISSED** with prejudice.

The Clerk shall send a copy of this Order to the Petitioner and counsel for Respondent.
SO ORDERED October 17, 2024, at McAllen, Texas.


Randy Crane
Chief United States District Judge